

BOARD ACTION

March 13, 2007

APPROVED	Tab 1. Minutes of January 30, 2007 (Special Meeting - Worksession), as presented, Minutes of February 6, 2007 (Regular Meeting), as corrected, and Minutes of February 20, 2007, as presented.	WATKINS
APPROVED	Tab 2. Clerk of Courts= Consent Agenda, as follows: <ol style="list-style-type: none">1. Request to acknowledge receipt of list of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.2. Request to acknowledge receipt of Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending January 31, 2007, in the amount of \$203,669.22. Same period, last year: \$167,055.15.3. Request to acknowledge receipt of Semi-Annual Investment Report for FY 06/07, dated December 31, 2006, for the Clerk of Courts, Lake County, Florida.4. Request to acknowledge receipt of Copy of Report No. 2007-106, an Operational Audit of Lake-Sumter Community College, for the Fiscal Year ended June 30, 2006.5. Request to acknowledge receipt of Ordinance No. 2006-34, from the City of Minneola, rezoning approximately 5.10 acres generally located in the Vicinity of Rockwell Avenue, Silverton Street, and Center Street East of US Highway 27 from Multi-Family High Density Residential (RMF-2) to Business (B-1) within the City of Minneola.6. Request to acknowledge receipt of Notification from the City of Mascotte of publication of annexation for applicants Hunter McNeer and Norman Thomas for the following parcels, lying within an unincorporated area of Lake County, generally located South of Hanley Road: Parcel No. 1 – W $\frac{3}{4}$ of N $\frac{1}{2}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Lake County, Florida. Parcel No. 2 – SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$, Lying S of Hanley Rd. R/W, Lake County, Florida. The Ordinances relevant to the above-referenced annexations will be	WATKINS

published in the Daily Commercial on February 5, 2007.

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| <p>7.</p> | <p>Request to acknowledge receipt of Ordinances from the Town of Lady Lake, as follows:</p> <p>Natural Gas Ordinance No. 2006-19, granting to Peoples Gas System, A Division of Tampa Electric Company, its successors and assigns, a non-exclusive, Natural Gas Franchise Agreement to use the public places of the Town of Lady Lake, Florida. Passed and adopted the 7th day of December, 2006.</p> <p>Ordinance No. 2006-77, amending the Town of Lady Lake Land Development Regulations, Chapter 3, Development Procedures and Regulations, Section 1, Development Order, Subsection (b), Exceptions To The Requirements For A Development Order; Chapter 7, Site Development Plan Regulations, Section 3, Designation of Plans As Major or Minor Development, Subsection (C) Exceptions; and Chapter 16, Building and Fire Standards, Article II, Building Plans and Permits, Section 3, Permit Applications, Subsection (a)(1)(C), Exceptions, Amending and Adding Provisions Governing Exceptions For Accessory Structures Not Exceeding 200 Square Feet On a Nonresidential Lot Previously Granted Site Plan Approval. Passed and adopted the 22nd day of December, 2006.</p> <p>Ordinance No. 2006-78, amending the Town of Lady Lake Land Development Regulations; Chapter 4, Concurrency Management System, Adding Section 8 Entitled Transportation Proportionate Fair Share Program; Adding Provisions Governing Coordination of the Proportionate Fair Share Program with Lake County.</p> |
| <p>8.</p> | <p>Request to acknowledge receipt of Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for February 27, 2007, to be held at 9:00 a.m., at the Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board, held on November 30, 2006.</p> |
| <p>9.</p> <p>Public</p> <p>All</p> | <p>Request to acknowledge receipt of Notice Before the Florida Public Service Commission – Re: Notice of Commission Hearing and Prehearing Conference to Progress Energy Florida, Inc., Office of Counsel, AARP, Federal Executive Agencies, Florida Industrial Power Users Group, Florida Power & Light Company, Florida Public Utilities Company, Florida Retail Federation, Gulf Power Company, Office of the Attorney General, PCS Phosphate, Tampa Electric Company and Other Interested Persons – Docket No. 060658-EI – Petition on Behalf</p> |

of Citizens of the State of Florida to Require Progress Energy Florida, Inc. to Refund Customers \$143 Million – Issued: February 20, 2007.

Notice is hereby given that a hearing will be held before the Florida Public Service Commission in the above-referenced docket, at the following time and place: Monday – Wednesday, April 2, 3, and 4, 2007, 9:30 a.m., Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida.

A prehearing conference will be held before Commissioner Katrina J. McMurrian, as Prehearing Officer, regarding the above-referenced matter, at the following time and place: Wednesday, March 21, 2007, 9:30 a.m., Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida.

10. Request to acknowledge receipt of Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2006-75, redesignating zoning classification for certain properties owned by Villages Property Investors, LLP, and located within the Town limits of the Town of Lady Lake, Florida. Passed and ordained the 1st day of February, 2007, in the regular session of the Town Commission of the Town of Lady Lake, Florida, upon the second and final reading.

Ordinance No. 2007-06, setting forth cross connections and backflow prevention, in connection with the potable water supply. Passed and adopted at the regular meeting of the Town Commission of the Town of Lady Lake, Florida, held on the 15th day of February, 2007.

Ordinance No. 2007-07, declaring a housing emergency, as a result of the impacts of the tornados. Passed and adopted at the regular meeting of the Town Commission of the Town of Lady Lake, Florida, held on the 7th day of February, 2007.

11. Request to acknowledge receipt of Ordinance No. 2007-01, from the Town of Montverde, Florida, correcting Ordinance No. 2005-10; annexing into and including within the corporate area and limits of the Town the portions and areas of land in Lake County, Florida, generally described as that property located on the west side of Lake Apopka, directly to the north and contiguous to the Town of Montverde, and more particularly described herein; redefining the corporate limits of the Town of Montverde, Florida, to include said land in the Town. Passed and adopted the 13th day of February, 2007.

12. Request to acknowledge receipt of Before the Florida Public Service

	<p>Commission: Revised Notice of Commission Hearing and Prehearing Conference to Progress Energy Florida, Inc. and All Other Interested Persons.</p> <p>Docket No. 060658-EI – Petition on behalf of citizens of the State of Florida to require Progress Energy Florida, Inc. to refund customers \$143 million.</p> <p>Notice is hereby given that a hearing will be held before the Florida Public Service Commission in the above-referenced docket, at the following time and place:</p> <p>Monday – Wednesday, April 2, 3, and 4, 2007, 9:30 a.m. Betty Easley Conference Center, Room 148 4075 Esplanade Way Tallahassee, Florida</p>	
APPROVED	<p>Tab 3. Request from Budget for approval of the following Budget Change Requests and Unanticipated Revenue Resolution:</p> <ol style="list-style-type: none"> 1. Budget transfer – Pollution Recovery Fund, Department of Environmental Services, Environmental Compliance and Enforcement Division. Transfer \$23,342 from Reserve for Operations to Contractual Services. Funds are needed for the Lake County Home Heating Oil Recovery Program for the proper transportation and disposal of heating oil per Contract 05-50. The Program was previously approved by the Board of County Commissioners in April 2004 and was not completed in Fiscal Year 2006. Therefore, additional funds are needed in Fiscal Year 2007 to complete the project. After the posting of this transfer, the balance in the Reserve for Operations account will be \$50,628. 2. Budget transfer - Pollution Recovery Fund, Department of Environmental Services, Environmental Compliance and Enforcement Division. Transfer \$8,472 from Reserve for Operations to Machinery and Equipment. Funds needed to purchase a new vehicle to replace a 1999 Jeep damaged beyond repair. Total cost for the new vehicle is \$15,653. Insurance proceeds of \$7,181 will be budgeted by a resolution for unanticipated revenue pending Board approval March 13, 2007. The remaining funds are available in Reserve for Operations. After the posting of this transfer, the balance in the Reserve for Operations account will be \$42,156. 3. Resolution No. 2007-30 to amend the Pollution Recovery Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in 	FRAZIER

	the amount of \$7,181 deposited into Insurance Proceeds/Loss Furn/Fix/Eq and provide appropriations for the disbursement to machinery and Equipment to replace a wrecked 1999 Jeep. Total cost for the new vehicle is \$15,653. The remaining funds needed are available in Reserve for Operations pending a budget transfer to machinery and Equipment to be approved by the Board on March 13, 2007.	
APPROVED	Tab 4. Request from Community Services for approval to amend the agreement with Lake-Sumter Children's Advocacy Center and to transfer unused funds as indicated.	SMITH
APPROVED	Tab 5. Request from Community Services for approval of 1) - Appointment of Fletcher Smith or an alternate designated by him to serve as Lake County Government's representative on the FEMA Board. 2) - Appointment of Jerry Smith or an alternate designated by the Public Safety Director as the representative from Public Safety. 3) – Authorization of the submission of a direct application for funding as a Local Recipient Organization or Fiscal Agent/Conduit for a Local Recipient Organization if so directed by the FEMA Board. 4) – Authorization of Community Services to manage the program and prepare required plans, reports and other related documents as directed by the FEMA Board and/or required by FEMA.	SMITH
APPROVED	Tab 6. Request from Community Services for approval to amend the Program Year 2006 One Year Action Plan and direct the Department of Community Services to transmit the amendment(s) to the U.S. Department of Housing and Urban Development.	SMITH
APPROVED	Tab 7. Request from Growth Management for approval and execution of a Release of Fine. Property owner: Christopher T. and Tina M. Schrock, Code Case# 2005060381 - Commission District 5.	STRICKLIN
APPROVED	Tab 8. Request from Information Technology for approval of renewal of the Embarq Contract Service Agreement and signature.	EARLS
APPROVED	Tab 9. Request from Procurement for approval to award a contract to Anderson and Shaw Roofing Inc. of Florida for the replacement of the Detention Center Roof for \$1,171,000 and the contingency of \$117,100 to be expended as may be required with the approval of the Director of Facilities Development and Management and approval of associated budget transfer in the amount of \$1,288,100 - Commission District	SCHWARTZMAN

APPROVED	<u>Tab 10.</u> Request from Public Safety for approval to accept award offer of funds to construct or improve the Lake County Emergency Operations Center (EOC) under Chapter 2006-71, Laws of Florida (House Bill 7121).	KAISER
APPROVED	<u>Tab 11.</u> Request from Public Works for approval and authorization for Chairman to execute satisfaction of liens for the attached thirty-four (34) road assessments.	STIVENDER
APPROVED	<u>Tab 12.</u> Request from Public Works for authorization to accept the final plat for Whitmarsh and all areas dedicated to the public as shown on the Whitmarsh final plat, accept a performance bond in the amount of \$5,500.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Highland Cassidy, LLC. Whitmarsh consists of 105 lots and is located in Section 1, Township 21 South, Range 24 East - Commission District 3.	STIVENDER
APPROVED	<u>Tab 13.</u> Request from Public Works for authorization to release a letter of credit for performance for construction of improvements in the total amount of \$1,682,289.95 that was posted for Blue Spring Reserve Phase I. Blue Spring Reserve Phase I consists of 63 lots and is located in Section 14, Township 21 South, Range 25 East - Commission District 3.	STIVENDER
APPROVED	<u>Tab 14.</u> Request from Public Works for authorization to accept the final plat for Greater Lakes Phase 1 and all areas dedicated to the public as shown on the Greater Lakes Phase 1 final plat, accept a performance bond in the amount of \$2,319,186.32, and execute a Developer's Agreement for Construction of Improvements between Lake County and Low Land Assets, LP. Greater Lakes Phase 1 consists of 153 lots and is located in Section 10, Township 24 South, Range 26 East - Commission District 2.	STIVENDER
POSTPONED UNTIL APRIL 3	<u>Tab 15.</u> Request from County Attorney for approval of Second Amendment to Interlocal between Lake County and Central Lake Community Development District – Commission District 3.	MINKOFF
APPROVED	<u>Tab 16.</u> Request from County Attorney for approval of Fourth Amendment to Lease Agreement between Publix Super Markets, Inc. and Lake County – Commission District 2.	MINKOFF

APPROVED	<u>Tab 17.</u> Request from County Attorney for approval and execution of Termination of Interlocal Agreement with Lady Lake; Termination of Lease Agreement with Veterans Memorial Post 347 of the American Legion; Resolution No. 2007-32 declaring property surplus; Resolution No. 2007-33 Declaring Certain Property as Right of Way; and Deed from Lake County to Veterans Memorial Post 347 of the American Legion - Commission District 5.	MINKOFF
APPROVED	<u>Tab 18</u> Request from County Attorney for approval of renewal of lease agreement between Lake County and Louis J. Formato for County Health Department lease space – Commission District 2.	MINKOFF

AWARDS AND RECOGNITIONS

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EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Caryl Harris, Librarian II, Community Services/Library
Services/Cooper Memorial Library

Lorena McCarroll, Associate Planner Trainee, Growth
Management/Building Services

Gregory Mihalic, Director of Tourism and Business Relations,
County Manager

Presentation of Award to Employee with Ten Years of Services

Phyllis Hegg, Office Associate IV, Public Works/Funding and
Production

Presentation of Award to Employee with Twenty Years of Service

Robert Rinehart, Assistant Mosquito and Aquatic Plant Management
Director, Environmental Services/Mosquito and Aquatic

BOARD/COMMITTEE CERTIFICATE PRESENTATIONS

Board of Adjustment

Darren Eslinger for service from 2004-2007 (Not present)
Carl Ludecke for service from 2003-2007

Board of Building Examiners

Joseph Godfrey for service from 1997-2007 (Not present)

Comprehensive Health Care Committee

Cynthia Nash for service from 2002-2007 (Not present)
Dr. John C. Pellosie, Jr. for service from 1999-2006 (Not present)

Elder Affairs Coordinating Council

Ellen Miller for service from 2002-2007
Kent Youngren for service from 2002-2007

Impact Fee Committee

Frank Royce for service from 2002-2006

	<p>Library Advisory Board Catherine Gillespie for service from 2004-2006 (not present) Dorothy Keedy for service from 1998-2006 (not present) Jody Bryant Newman for service from 2003-2007 (not present)</p> <p>Local Planning Agency Richard Dunkel for service from 2004-2006 Ann Dupee for service from 2005-2006 Becky Elswick for service from 2005-2006 (not present) Barbara Newman for service from 2004-2007</p> <p>Public Safety Coordinating Council Sheriff Gary S. Borders for service from 2005-2006</p> <p>Sales Surtax Oversight Advisory Committee Martha Hartman for service from 2002-2006 (not present)</p> <p>Zoning Board Robert Herndon for service from 2004-2007 Don Miller for service from 2004-2007</p>	
PRESENTATION	Tab 19. Acceptance of painting donated to Lake County for the Cagan Crossings Community Library by the artist Arsalan.	CADWELL
PRESENTATION	Tab 20. Presentation by Karla Grimsley, Director of the Guardian Ad Litem Program.	CADWELL
APPROVED	Tab 21. Request from County Manager for approval of selection of Senior Manager and Co-Managers for the upcoming bond issue and to select the proportions at which the underwriters will be helping in the sale of the two different bond issues that were coming up, both scheduled for April. One was regarding pledging the sales tax, which would be a \$90 million issue initially to support the construct of the downtown campus and eventually South Tavares. The second issue was regarding environmentally sensitive lands, which would be a \$36 million. The Board approved the selection of First Southwest as the Senior Manager and Stifel Nicholas as the Co-Manager (the middle selection in the handout).	HALL
APPROVED	Tab 22. Request from Facilities Development and Management for approval of the contract funding for RSQ No. 05-094, Construction Manager (At Risk) for Umatilla Health Clinic, in the amount of \$3,058,300 funded in the current year and approximately \$1.4M funded in FY/08 to cover the balance of construction and other projected related costs - Commission District 3.	BANNON

APPROVED	Tab 23. Request from Information Technology for approval to hire a Telecommunications Master Technician, purchase a vehicle, and cancel the current Telecom Maintenance contract with SETEL by giving 30 days written notice. Approval of associated budget transfers within the IT Telecommunications budget.	EARLS
APPROVED	Tab 24. Request from Public Works for approval of additional funds needed to reach the \$8,473,000.00 needed to award the contract to the lowest bidder to begin construction of Phase I of the North Lake Community Park. There is currently \$5,900,000.00 available for the Park project, but an additional \$2,573,000.00 is needed to reach the \$8,473.00 to award the contract and begin construction.	STIVENDER
APPROVED	Tab 25. - PUBLIC HEARING: Vacation Petition No. 1098 and approval and execution of corrected Resolution No. 2006-235A on V.P. 1098 (approved Public Hearing of 12/19/06) – Commission District 5.	CADWELL
APPROVED	Tab 26. Approval of appointment of Noah Powers, Assistant Superintendent of Support Services, Lake County Schools, to represent Lake County Schools on the Lake County Impact Fee Committee for the completion of an unexpired term ending August 6, 2008.	CADWELL
FOR YOUR INFORMATION	Commr. Renick shared a letter she received from Ms. Teresa Jacobs regarding a pending application for expansion of a landfill located near the Orange and Lake County line. She opined that even though this was totally Orange County's decision, she thought it was a positive thing that Ms. Jacobs wanted the County to know about it. She reported that they were going to get the list of Lake County residents that would be affected to inform them about this.	RENICK
FOR YOUR INFORMATION	Commr. Renick expressed a concern she had about looting in Crooked River Preserve, and wanted to know how the County would go about handling that problem. She went on to explain that the looters were cutting tree roots to get arrowheads and artifacts. She commented that in order to arrest them for trespassing, they needed to close the park, and she was concerned about that. She asked Mr. Sandy Minkoff, County Attorney, about doing a protection ordinance so that they could open the park. Mr. Minkoff stated that these behaviors would be violations of State Statutes, which would be more severe than any penalty for a County violation, so he recommended against the ordinance.	RENICK

APPROVED	Tab 27. Approval and execution of Proclamation No. 2007-34 designating March 2007 as National Women's History Month to recognize and celebrate the many contributions of America's women. Commr. Stivender mentioned that she would be presenting this Proclamation and Commr. Hill would be speaking at the event in Sumter County, and that Commr. Renick would also be attending.	STIVENDER
FOR YOUR INFORMATION	Commr. Stewart commented that she was excited about the direction the County was heading, and the voters were very interested in making sure the rural lands were preserved. She commented that the LPA had been working diligently to provide for this preservation, and Ms. Carol Stricklin, Director, Growth Management, had applied for a grant designed to help the County learn more about preservation of rural and agricultural lands and smart growth in the urban, high-density areas.	STEWART
APPROVED	Commr. Cadwell reported that there was an annual request from the NAACP for \$1,500 for their yearly meeting, and that the guest speaker would be the Chief Operating Officer of the National Office of the NAACP. He noted that the event would be held on March 17 at 7:30 p.m. at Eustis Middle School.	CADWELL
APPROVED	Commr. Cadwell stated that during the Budget process the Board had committed to fund a Naturalist position with Trout Lake Nature Center. He related that St. Johns Water Management District only committed \$10,000, so he requested an additional \$20,000 to get the grant up to where it was supposed to be, as well as the Budget Transfer for that amount. He stated that Article 2 of the contract was amended to state that the County would make annual contributions to Trout Lake for that position and that the amount would be set yearly by the budget.	CADWELL

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Roy Hunter stated that the Northeast Lake Chamber had two events this month, one being pictures taken for the children with the Easter Bunny on Saturday, March 24, at the Paisley Community Center, from 10:00 a.m. until 2:00 p.m. The other event was an update on the Lake Mack tornado recovery effort with Sheriff Gary Borders and Mr. Jim Judge, Lake Sumter EMS Director, as the guest speakers, on March 27 at 6:30 p.m. at Spring Creek Elementary School.

Mr. Ron Caskey, a resident of Shirley Shores Road, Tavares, presented a petition to the Board to ask that the speed limit be reduced from 45 mph to 35 mph. Commr. Stivender stated that she had asked Mr. Stivender's staff to look at it over the past year. She commented that people were using it as a race track.

Ms. Pat Congdon, a resident of Leesburg, stated that on behalf of other residents of the Lake Mack area, she wanted to ask for extensions of the debris removal deadline as well as the tornado-related damage permits of March 21, and presented a petition of others in the area asking for the extension until June 1. She also mentioned that another problem in that area was that people living on State Road 44 have had to go several miles to Paisley to get help.

Ms. Suzanne Marlow, a resident of the Lake Mack area for 24 years, stated that she felt dumpsters were needed in the area for the debris for about a two-week period, since the material just slices through bags. She commented that the dumpsters could be spaced out along Bear Lake Road and Cooter Pond, as well as other roads that Ms. Congdon mentioned.

Mr. Lloyd Barth, a resident of Bear Lake Blvd in the Lake Mack area, stated that one of their problems was the back yard area. He explained that the brush and trees that are down are making a lot of the area impassable to search for any valuables that could be there. He also opined that it was creating a potential fire hazard, especially during inclement weather and lightning strikes. He reiterated the need for a place to put glass and other materials that Ms. Marlow mentioned. He commented that the volunteers had been fantastic and did anything they could do, but that the conditions in the backyards make it impossible for them to do much there.

	<p>Mr. Sandy Minkoff, County Attorney, stated that Solid Waste, Public Works, Growth Management, and Code Enforcement received FEMA approval to go on to private property in some instances to remove debris. As a prerequisite to that, they were required to cite them as code violaters. He reported that they had several Code Enforcement cases set for hearing tomorrow, and once the Special Master ruled, they would be able to go onto those properties and to clean them up. He opined that it was the most friendly code enforcement that had ever done.</p> <p>Commr. Stivender noted that there was a LASER meeting on Thursday, March 15, at 2:00 p.m. at the realty office on Hwy 19A and that there was a group there that could help these citizens with the backyard issue.</p>	
	CLOSED SESSION	